

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

WILLIAM C. BARLOW,

Plaintiffs,

v.

BNC MORTGAGE INC.; et al.,

Defendants.

3:09-cv-00677-LRH-RAM

ORDER

Before the court is District Judge for the District of Arizona James A. Teilborg's ("Teilborg") order of remand filed on January 28, 2011. Doc. #60.¹

In 2009, the United States Judicial Panel on Multi-District Litigation ("panel") consolidated numerous cases in which plaintiffs allege that MERS engaged in improper business practices when processing home loans. The panel assigned Judge Teilborg to oversee these cases, and he will preside over all issues (discovery, dispositive motions, settlement) except for trials. *In re: Mortgage Electronic Registration Systems (MERS) Litigation*, MDL No. 2119.

In various transfer orders the Panel consolidated several cases, one of which is the current matter *Barlow v. BNC Mortgage Inc.*, 3:09-cv-0677-LRH-RAM. However, as part of the transfer order, the Panel transferred only those claims that "relate to the formation and/or operation of MERS." The Panel held that all other claims "unrelated to the formation and/or operation of the

¹ Refers to the court's docket entry number.

1 MERS system are separately and simultaneously remanded” to the district court in which they were
2 first brought. Thereafter, on March 5, 2010, the court stayed the proceedings pending Judge
3 Teilborg’s order parsing the claims and remanding the unrelated defendants and claims back to this
4 court. Doc. #45.

5 On January 28, 2011, Judge Teilborg issued an initial remand order. Doc. #60. Pursuant to
6 that order Judge Teilborg remanded: (1) claim 1 for violation of unfair lending practices,
7 NRS 598D.100; (2) claim 10 for civil conspiracy as it relates to other remanded claims; (3) claim
8 11 for racketeering activity in violation of Nevada law as it relates to other remanded claims; (4)
9 claim 12 for unjust enrichment; (5) claim 3 for injunctive relief as it relates to the remanded claims;
10 and (6) claim 4 for declaratory relief as it relates to the remanded claims. *Id.*

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12 IT IS THEREFORE ORDERED that the stay in case no. 3:09-cv-0677-LRH-RAM entered
13 on March 5, 2010, is hereby LIFTED.

14 IT IS SO ORDERED.

15 DATED this 28th day of June, 2011.



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18 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE